

**STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS
CONSUMER SERVICES DIVISION**

In the Matter of Determining Whether There
Has Been a Violation of the Mortgage Broker
Practices Act of Washington by:

NO. C-02-382-03-CO01

Fleetwood Retail Corp of Washington,

CONSENT ORDER

Respondent.

COMES NOW the Director of the Department of Financial Institutions (Director), through her designee Chuck Cross, Acting Assistant Director and Enforcement Chief, Division of Consumer Services, and Fleetwood Retail Corp of Washington (hereinafter as "Respondent"), and finding that the issues raised in the captioned matter may be economically and efficiently settled, agree to the entry of this Consent Order. This Consent Order is entered pursuant to chapter 19.146 of Revised Code of Washington (RCW), and RCW 34.05.060 of the Administrative Procedure Act, based on the following:

I. AGREEMENT AND ORDER

The Department of Financial Institutions, Division of Consumer Services (Department) and Respondent have agreed upon a basis for resolution of the matters alleged in Statement of Charges No. C-02-382-03-SC01, entered January 13, 2003, (copy attached hereto). Pursuant to chapter 19.146 RCW, the Mortgage Broker Practices Act (Act) and RCW 34.05.060 of the Administrative Procedure Act, Respondent hereby agrees to the Department's entry of this Consent Order and further agrees that the issues raised in the above captioned matter may be economically and efficiently settled by entry of this Consent Order. The parties intend this Consent Order to fully resolve the allegations raised in the Statement of Charges No. C-02-382-03-SC01, entered January 13, 2003.

1 Based upon the foregoing:

2 A. It is AGREED that the Department has jurisdiction over the subject matter of the activities
3 discussed herein.

4 B. It is AGREED that Respondent has been informed of the right to a hearing before an
5 administrative law judge, and that Respondent has waived the right to a hearing and any and all
6 administrative and judicial review of the issues raised in this matter, or of the resolution reached herein.

7 C. It is AGREED that Respondent does not admit to the facts, other than jurisdictional, as
8 alleged in the Statement of Charges No. C-02-382-03-SC01 and that Respondent does not admit any
9 laws have been violated as alleged in the Statement of Charges No. C-02-382-03-SC01.
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11 D. It is AGREED that nothing in this Consent Order shall be construed as preventing the
12 Department from fully enforcing any provision of Title 19 of the Revised Code of Washington and Title
13 208 of the Washington Administrative Code.

14 E. It is AGREED that Respondent shall pay a fine of \$5,000.00 to the Department upon entry
15 of this order, which is the date upon which the order is signed by the Director's designee.

16 F. It is AGREED that Respondent shall pay the Department upon entry of this order an examination
17 fee of \$1295.28, calculated at \$46.26 per hour for 28 staff hours devoted to the investigation.

18 G. Respondent AGREES to immediately take all necessary steps to secure a designated broker and
19 FURTHER AGREES to not to engage in any mortgage broker activity in the state of Washington until a
20 designated broker is properly in place in accordance with applicable laws. Respondent FURTHER AGREES
21 AND REPRESENTS that it has not engaged in any mortgage broker activities in the State of Washington
22 requiring licensure during the period of time a designated broker has not been in place.

23 H. It is AGREED that Respondent understands that failure to abide by the terms and conditions of
24 this Consent Order may result in further legal action by the Director. In the event of such legal action,

Respondent may be responsible to reimburse the Director for the cost incurred in pursuing such action, including but not limited to, attorney fees.

I. It is AGREED that the conduct giving rise to the issuance of the above-referenced Statement of Charges will not be considered by the Department in the assessment of any current or future applications for mortgage broker licenses (main or branch) in the state of Washington, in the event Respondent wishes to pursue such applications.

J. Respondent AGREES to comply with the Mortgage Broker Practices Act and the rules adopted thereunder.

K. It is AGREED that the undersigned have represented and warranted that they have the full power and right to execute this Consent Order on behalf of the parties represented.

L. It is AGREED that the undersigned Respondent has voluntarily entered into this Consent Order, which is effective when signed by the Director's designee.

RESPONDENT:

Fleetwood Retail Corp of Washington

By:

/S/
Signature

09.05.03
Date

Barry Blanton, Vice President
Print Name and Title

THIS ORDER ENTERED THIS 15th DAY OF September, 2003.

/S/
Chuck Cross Acting Assistant Director and
Enforcement Chief
Division of Consumer Services
Department of Financial Institution